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HUMAN RIGHTS, LAW AND THE  
LITERATURE OF THE OPPRESSED

Volume 2 (Seminars 7-9)

Prof. Craig Scott,  
Faculty of Law,  
University of Toronto

June 1991

Materials prepared for a course given in July and August of 1991 at Deep Springs College, California, U.S.A., by Daniel Porterfield and Craig Scott.

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HUMAN RIGHTS, LAW AND LITERATURE OF THE OPPRESSED

VOLUME 2 (SEMINARS 7-9)

Note: This Table of Contents also constitutes the Syllabus for the first 9 Classes of the course at Deep Springs College, July-August 1991. It is slightly revised from that which appears as the Table of Contents for Volume 1. As indicated at the start of Volume 1, students will not be expected to read all of the material. Specific 'mandatory' readings will be indicated prior to each class and students encouraged to read further according to their own interests for purposes of the assignments. The references to Kymlicka, Liberalism, Community and Culture are to a book which you are asked to purchase separately.

Proceed to Seminar 7 for the actual table of contents for this volume.

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CLASS #1:           INTERNATIONAL HUMAN RIGHTS AND U.S. CONSTITUTIONAL RIGHTS

International Human Rights: Please Read Before the First Class

Bu. H.W., "Human Rights", (1985) 20 Encyclopedia Britannica 713-721 1:1

Jack Donnelly, Universal Human Rights in Theory and Practice (Ithaca: Cornell University Press, 1989), Ch.1, "The Concept of Human Rights", 9-27 1:10

Donnelly, Ch.2, "The Interdependence and Indivisibility of Human Rights", 28-45 1:20

U.S. Constitutional Rights: To Be Read During the First Class - Do Not Read Beforehand

W. Haywood Burns, "Law and Race in Early America" in David Kairys, ed., The Politics of Law: A Progressive Critique (New York: Pantheon Books, 1990) 115-120 1:29

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Robert Carter, "Reexamining Brown Twenty-Five  
Years Later: Looking Backward Into the Future"  
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Stone, Seidman, Sunstein and Tushnet,  
"Note: The Abortion Funding Cases"  
in Constitutional Law @ 873-874 1:102

Nadine Taub and Elizabeth M. Schneider [continued],  
"Women's Subordination and the Role of Law -  
Legal Controls on Reproduction and the Public/Private  
Split" in Kairys, 157-160 1:103

Associated Press, "Counselling abortions still  
banned" (May 29, 1991) The Globe and Mail A12 1:105

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**CLASS #3:            UNIVERSAL HUMAN RIGHTS AND CULTURAL RELATIVISM  
                         DEBATES**

Executive Board, American Anthropological Association,  
"Statement on Human Rights" (1947) 49 American  
Anthropologist 539-543 1:106

Universal Declaration of Human Rights in United  
Nations, Human Rights: A Compilation of International  
Instruments (New York: United Nations, 1983) 1 1:109

Philip Alston, "The Universal Declaration at 35:  
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(1983) 31 Int.Comm. of Jurists Review 60 1:112

Alisdair MacIntyre, "Some Consequences of the Failure  
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**CLASS #5:           THE VALUE AND SCOPE OF COMMUNITY AND CULTURAL MEMBERSHIP**

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Kymlicka, Ch.7, "Liberalism in Culturally Plural Societies" bk:135-161

Kymlicka, Ch.8, "The Value of Cultural Membership" bk:162-181

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Michael Perry, "Taking Neither Rights-Talk nor the 'Critique of Rights' Too Seriously" (1984) 62 Texas Law Review 1405 2:31

Martha Minow, Making All the Difference: Inclusion, Exclusion and American Law (Ithaca: Cornell University Press, 1990) 164-172, 277-311 2:38

Richard Delgado, "Storytelling for Oppositionists and Others: A Plea for Narrative" (1989) 87 Michigan Law Review 2411, 2411-2415, 2435-2441 2:61

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- Robert A. Williams, Jr., "Encounters on the Frontiers of International Human Rights Law: Redefining the Terms of Indigenous Peoples' Survival in the World" (1990) Duke Law Journal 660 2:192
- Roxanne Dunbar Ortiz, "Cultural Legitimacy of Human Rights in Latin American Indigenous Perspectives", Paper Prepared for the International Conference on Human Rights in Cross-Cultural Perspective, Saskatoon, Saskatchewan, Oct.12-14, 1989 2:215
- Revised Draft Universal Declaration on Rights of Indigenous Peoples [1989] 4 Canadian Native Law Reporter 44 2:230
- "Gitksan-Wet' Suwet'En Land Title Action: Editor's Note and Introduction" [1988] 1 Canadian Native Law Reporter 14-16 2:234
- "The Address of the Gitksan-Wet' Suwet'En Hereditary Chiefs to Chief Justice McEachren of the Supreme Court of British Columbia" [1988] 1 Canadian Native Law Reporter 17ff. 2:235
- Michael Bliss, "Conducted Tour" (April/May 1989) 69:2 The Beaver 16 2:256
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- William Connolly, "Identity and Difference in Global Politics" in J. Der Derian and M.J. Shapiro, eds., International/Intertextual Relations: Postmodern Readings of World Politics (Toronto: Lexington Books, 1989) 323 2:272
- Garry Wills, "Goodbye, Columbus" (Nov.22, 1990) New York Review of Books 6 2:283

Mario Vargas Llosa, "Questions of Conquest: What Columbus Wrought, and what he did not"  
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